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A just Vindication of Mr. Poole's *Design for Printing of his* Synopsis of Critical and other Commentators; *against the pretences of Mr.* Cornelius Bee, *Book-seller.*

WHereas Mr. *Bee* hath lately printed and publisht a Paper, entituled, *The Case of Cornelius Bee*, &c. wherein he pretends, That Mr. *Poole* hath invaded his right and propriety in the *Criticks*, contrary to the Act of Parliament, which prohibits the reprinting of all Books either in part or in whole, without the consent of him who makes a due entry of the same; and also contrary to the Kings Priviledge, which provideth, That no man should print the said *Criticks*, neither the whole, nor any part thereof; and therefore, that Mr. *Poole* may neither epitomize the said *Criticks*, nor take any thing out of them without manifest injustice; and that the said Mr. *Poole* by his Work doth both spoyl the sale of the *Criticks* that are left, and hinder the said Mr. *Bee* in his design of re-printing the *Criticks*, which, he saith, he purposeth to do in far better manner than he did before; and this is the substance of Mr. *Bee*'s plea, which he aggravates, by the consideration of his great Charge in printing the Books, and his great losse sustained by the late Fire.

In answer thereunto, it is submitted on Mr. Pooles *part:*

1. That Mr. *Poole* did before the publishing of his design understand this pretence of Mr. *Bee*, and thereupon did addresse himself to persons of greatest eminency for integrity and skill in the Law, (which is the great discerner of mens proprieties) and fully acquainted them with his design, and also with all that right which Mr. *Bee* now pretends, as well from the Act of Parliament, as from the Kings Priviledge; and from their concurring judgements received satisfaction, that notwithstanding Mr. *Bee*'s pretence, Mr. *Poole* might without fear of any lawfull disturbance go on in his Work.

2. That Mr. *Poole* did at two several meetings before divers worthy persons, make offer to the said Mr. *Bee*, to referre the whole businesse, not only for Common Law but also for Equity and Conscience, to two Lawyers, and to two Divines, to be indifferently chosen by them, which

Mr. *Bee* utterly refuſed. And the ſaid Mr. *Poole* did then further offer to Mr. *Bee* (upon condition they had been then accepted) ſuch conſiderable terms of accommodation, as were judged by all that were preſent (even by thoſe that were choſen by Mr. *Bee*) to be ſuch as would have been much to Mr *Bee*'s advantage, and more than the ſaid Mr. *Poole* was any way obliged unto.

3. How unrighteous a thing it is for Mr. *Bee* to charge Mr. *Poole* with that which himſelf is guilty of: For in that late Edition of the *Criticks*, he brought down the price of divers Books from 50, or 60 *l.* to 13 *l.* 10 *s.* as he himſelf profeſſeth, whereby diverſe Scholars were forced to ſell thoſe Books with great loſſe, at far lower prices than they coſt them; and the re-printing of the *Criticks* in far better form, will be a manifeſt injury to hundreds of Scholars that bought the preſent *Criticks* at a dear rate, which by this means will be little better than waſte-paper; And if theſe loſſes and injuries be expiated by the ſerviceableneſſe of Mr. *Bee*'s deſign to the Publike good, Why may not Mr. *Poole* have the Benefit of the ſame Plea?

4. It is ſo unreaſonable a conceit which Mr. *Bee* expreſſly affirms, that *It is injuſtice to take any thing out of the* Criticks, that it deſerves no Anſwer. Nothing is more familiar than for one Author to take conſiderable parcels out of others and print them in his own Book; and Mr. *Royſton* himſelf one of Mr. *Bee*'s Partners, notwithſtanding the Kings Priviledge and Patent granted to others for the ſole right of printing of the Bible, did print all the *New Teſtament* with Dr. *Hammond*'s Notes to it: Nay the making and printing of *Epitomies* of larger Books by other perſons is warranted not only by the judgement of Lawyers, but by the uſual practice of Bookſellers among themſelves. Who ever accuſed *Marlorat* of *injuſtice* for making an Epitomy of *Calvin*, *Bullinger*, and *Muſculus*, &c. upon the New Teſtament, though he hath nothing elſe both for Words and Matter but what is taken out of thoſe very Authors? Who ever queſtioned Mr. *Maſon* or his Printer for Epitomizing the *Book of Martyrs*? or Mr. *Waſe* for Epitomizing former *Dictionaries* both *Latine* and *Engliſh*, or any of the Epitomizers of the Books of *Common* and *Statute Law*? And no longer ago then this laſt Term, this very Caſe was determined accordingly by the Lord Keeper.

5. That Mr. *Poole* doth not pretend to Epitomize the whole *Criticks*; there are many material things in thoſe Books not belonging to the Expoſition of *Scripture*, and *Critical* Curioſities, which ſuch as are able will be willing to purchaſe. And for ſo much of the Work as Mr. *Poole* hath

hath done, there is not above a Fourth or Fifth part taken out of thoſe Authors which are in the *Criticks*: And even thoſe very paſſages in Mr. *Poole*'s Work which occurr in thoſe *Critical Authors*, are for a very great part, common to them with other Authors which Mr. *Poole* makes uſe of.

6. As for the re-printing of the *Criticks*, which Mr. *Bee* pretends to be hindred by this Work, and that the ſale of thoſe Books will be obſtructed; It is true, there can be no Work undertaken for publick good, but it may accidentally turn to ſome mens diſadvantage: But for this it is further offered;

1. That this is no loſs of any preſent or certain benefit to Mr. *Bee*, and that this Work he pretends is a work of long time, great charge, and much uncertainty, both in the accompliſhment and advantage of it; ſo that ſeveral of Mr. *Bee*'s Partners declare they will not joyn with him in it; and it is generally believed by Scholars and Bookſellers that it is not likely to be Printed.

2. It is moſt evident and known to Scholars, that many of thoſe that are able to buy and read large Volumes will not be ſatisfied with any Epitomies, but will have recourſe to the Authors. But whereas there are at leaſt an hundred Scholars to one whoſe time and purſes cannot poſſibly reach to large Authors; it is good reaſon they ſhould be provided for; and if Mr. *Bee* can be content that all ſuch ſhould remain deſtitute of any neceſſary or uſefull helps for a ſolid Underſtanding of the *Bible*, meerly out of a conceit of an Imaginary profit which may poſſibly accrue to himſelf, let him not be angry if others be of another opinion.

This being the true ſtate of the Caſe, and Mr. *Bee* having refuſed all amicable offers of accommodation, and ſtill endeavouring to diſturb and hinder the Work, it is Mr. *Poole*'s intention, vigorouſly and chearfully to proceed in his Work; not doubting but God will be pleaſed to proſper his endeavours, and that he ſhall have the aſſiſtance and encouragement of all lovers of Learning and Piety.

THat Mr. *Poole* may not be thought partial in his own cauſe, here are ſubjoyned the opinions of two Gentlemen of known eminency in the Law; to which (if need be) many others will declare their aſſent, having ſignified to divers perſons, that they are of the ſame opinion.

The

The Opinion of Sr. *John Maynard* Serjeant at Law.

THe *grant of the ſole Printing of the* Criticks, *doth not prohibit the printing of a* Synopſis *or* Collection *made out of the* Criticks *and* other Authors; *no more then ſuch grant of ſole printing of the* Bible, *doth prohibit the printing of a* Sermon *or* Concordance, *as I conceive.*

J. MAYNARD.

The Opinion of Mr. *William Jones* Counſellor at Law of *Grayes Inne.*

I *Have peruſed as well* [illegible] *Caſe ſtated by Mr.* Bee *againſt Mr.* Poole; *as that* [illegible] Poole *in anſwer to Mr.* Bee, *and upon conſideration of both, I am of opinion, that Mr.* Bee *hath no Injury done to him, nor can have any remedy either in Law or Equity, for what is propounded to be done by Mr.* Poole *in his intended Work.*

Feb. 10. 1667. W. JONES.

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